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OFFICE OF PETITIONS

In re Application of	:	
Christopher H. Porter	:	
Application No. 10/687,518	:	DECISION ON PETITION
Filed: October 15, 2003	:	TO WITHDRAW
Attorney Docket No. 355492-4250	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed December 27, 2005.

The request is **NOT APPROVED**.


A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request cannot be approved because 37 CFR 10.40 states, “[a] practitioner shall not withdraw from employment in a proceeding before the Office without permission from the Office[.]” Additionally, 37 CFR 10.40 states, “[i]f paragraph (b) of this section is not applicable, a practitioner may not request permission to withdraw in matters pending before the Office unless such request or such withdrawal is because: [. . .]” Reasons a practitioner can permissively withdraw follow the later quotation.

Since the request for withdrawal as attorney or agent submitted on December 27, 2005 provides no reasons for withdrawal, the Office cannot at this time determine whether practitioner’s request is one of the mandatory or permissive reasons enumerated in 37 CFR 10.40. Any subsequent requests must include reasons for withdrawal. Please note that there is a space provided for on PTO/SB/83 (Request for Withdrawal as Attorney or Agent) to supply practitioner’s reasons.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at 571-272-3210.


Denise Pothier
Petitions Examiner
Office of Petitions

cc: Christopher Porter
Medical Genesis, Inc.
19756 NE 127th Place
Woodinville, WA 98072